1

2

3

4

5

6

7

8   IN THE UNITED STATES DISTRICT COURT

9   FOR THE NORTHERN DISTRICT OF CALIFORNIA

10

11   EUNICE JOHNSON,   No. C-14-1570 MMC

12   Plaintiff,   **ORDER VACATING HEARING ON**
                                                  DEFENDANT'S MOTION TO DISMISS
13   v.   **OR STRIKE; CONTINUING CASE**
                                                  MANAGEMENT CONFERENCE;
14   TRIPLE LEAF TEA INC.,   **DENYING AS MOOT STIPULATION FOR**
                                                  PLAINTIFF'S COUNSEL TO APPEAR
15   Defendant.   **TELEPHONICALLY**
     _____/

16

17   Before the Court is defendant Triple Leaf Tea, Inc.'s "Motion to Dismiss, or in the

18   Alternative, Motion to Strike Plaintiff's Complaint," filed May 16, 2014. Plaintiff Eunice

19   Johnson has filed opposition, to which defendant has replied. Having read and considered

20   the papers filed in support of and in opposition to the motion, the Court deems the matter

21   suitable for decision on the parties' respective written submissions, and hereby VACATES

22   the hearing scheduled for July 25, 2014.

23   Further, in light of the pendency of the motion to dismiss, the Court hereby

24   CONTINUES the case management conference from July 25, 2014 to September 12,

25   2014, at 10:30 a.m. The parties shall file a joint case management statement no later than

26   September 5, 2014.

27   Finally, in light of the above, the Court hereby DENIES as moot the parties' "Joint

28   Stipulation for Plaintiffs' Counsel, Skye Resendes, to Appear at Motion to Dismiss and

1 Case Management Conference Hearings by Telephone," filed July 15, 2014.[1] For future

2 reference, however, the parties are advised that, although the Court may conduct case

3 management conferences by telephone for good cause shown, the Court does not conduct

4 hearings by telephone.

5   **IT IS SO ORDERED.**

6

7 Dated: July 18, 2014

8   MAXINE M. CHESNEY
                                                     United States District Judge

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26 _____

27   [1]Plaintiff failed to provide the Court with a chambers copy of the stipulation. Plaintiff
    is reminded that, pursuant to Civil Local Rule 5-1(e)(7) and the Court's Standing Orders,
28 parties are required to provide for use in chambers one paper copy of each document that
    is filed electronically.